he would not have received injude that a platform of a car is the

Sands, called for the defence. I was conexpress train at the time of the accident,
control of the train, and went through it
very station; I had two cars and a smoking
ecaport; took, on two cars at Belleport and
rley; there were vacant seats at the latter
worley I took on between twenty and thirty
after we left Waverley the two hind cars
empty; at Deer Park we attached two ad; both of these were enerly full; made no
until we get to Jamaica; about twenty-five

cets in the smoking car.

jeror—I saw several persons standing on the platingth have spoken to some of them.

closed the case on both sides, when Mr. Yanderd Mr. James summed up at length.

s James then charged the jury. He said it was
y to call their attention to the facts in the case, as
the principles of law as fares it became necessary
a to do so. It was a case which the jury should
between man and man. As the case stood it was
ed that a collision took place on the Long Island
aby the gross negligence of defendants; at least by
oss negligence of the defendant's servant, and they
held responsible for his acts in the eye of
w; norally, of course, they would not be
sible. He (Judgo James) submitted six
ons for the consideration of the jury,
er that the whole matter might be presented.

The first was as to what caused the accident,
boint had been admitted by the defendants.

—Was plaintiff injured by the collision? Third—
was the plaintiff at the time of the collision?

—Were there more seats in the car than there were
gers? Fifth—If the fact of the plaintiff being on
sifterm of the car contributed to the extent of his.

There was no evidence to show that any person
of the car was seriously injured. They were to
swhether the plaintiff was injured to a greater
by standing on the platform than he would have
ere he to remain on the inside of the car, then he
not recover. If they were satisfied that his standthe platform did not contribute to the injury,
hey should find a verdet for the pain, suffering
as that he had endured. Judge James then dwelt
he evidence and the established rules relative to
so, when he concluded his charge.

Jury then retired, and will bring in a sealed ver-

Personal Intelligence.
Rankin, of Canada, and General Custer, United my, are among the guests at the Fifth Avenue

al G. E. Spencer. United States Army, General chofield, United States Army, and Major General inslow and wife are staying at the Metropolitan

## MUNICIPAL AFFAIRS.

Board of Conneilmen. TATED SESSION, MOSPA

Position of S. C. Wandell to be reasonable.

In connection therewith Connellman Mackay offered the following resolution:—
Resolved, That the assessment list for paving Third avenue from Fifty-sixth attreet to Righty-sixth street with trap block pavenues, confirmed November 7, 1865, be and the same is never property corrected in the following particular, viz. That the sum of \$150 20 be and the same is hereby remitted pro rais, drom lots known as ward Nos. 35, 4 and 36, in block No. 1871.

Which was laid over.

By Councilman Norres.

Bill of Robert G. Nurray on behalf of the American Profession Association, amounting to \$150, for missic furnished the Seventh division on the occasion of the funeral of the late President Lincoln.

In connection therewith Councilman Koeter offered the following resolution:

Residved, That the Comptroller be and he is hereby authorized and directed to draw his warrant in favor of Robt, if, Surray for the sum of \$150, on behalf of the American Protectant Association, for music furnished on occasion of functional designs of the late President Lincoln, and charge the same to account of city contingencies.

Which was referred to the formulation on Finance.

Essolutions.

By Councilman Rossinsok.

same to account of city contingencies.
Which was referred to the formittee on Finance,
Escolorious.
By Councilman Roberson—
Resolved, That Charlion street, at the southwest corner of
Variok, he flagged immediately, the same to be done under
the direction of the street Commissioner.
Which was referred to the Committee on Streets.
By Councilman Harransia—
Resolved, That Croton mains be laid in Righty-third
street, between Righth and Fruth avenues, under the direction of the Croton Aqueduct Department.
Which was adopted.
By Councilman O'Renne—
By Councilman Councilman on the see and
they are bornly, anthorized and directed, on behalf of the
eity of Saw York, to present for and present to the Seventy,
seventh regiment New York State Mational Guard, a stand
of regimental colors, and the sum of \$200 is hereby appropristed therefor; and the Comptroller is bereby authorized
and directed to draw his warrant in payment for the same
upon the presentation of the proper vocathers, and charge
the same to the account of eity contingencies.
Which was referred to the Committee on National Affairs.
By Councilman Karen—
Recolved, That the Comptroller be and he is hereby authorrized and directed to draw his warrant in favor of the New
Tork Dispatch for the sum of \$200 St, for publishing the canvass of the December election, and charge the same to election as a person.
By Councilman Karen—
Whereas Thomas J. Edden and William H. Dougan, Asdivant Meassengers in the Burean of Receiver of Tarma, have
here performing clerion dues in saad Burean for he last
three years respectively. 1823, 1824 and 1825, and duttes being
independent of their dutters as Meassengers, therefore
Recolved, That the Comptroller be and he is hereby authorized and directed to draw his warrants in favor of Thomas
J. Ridden and William H. Dougan, Asdivant Meassengers in the Burean for the seccunt of domations.
W

Ridden and William W. Common forms the same to the second survives performed, and charge the same to the second survives the same to the second which was referred to the Committee on Finance.

By Connellman ROSENTS—
Resolved, That the Counsel to the Corporation be and he is hereby directed to take the necessary legal steps to open one tifendered and Fifth are not one Hundred and Sixth streets from the Fifth avenue to Hariem river immediately. Which was referred to the Committee on Ronds.

By the Passenger—
Resolved, That Ninth avenue, east side, from Thirty-Resolved, That Ninth avenue, east side, from Thirty-Resolved, That Ninth avenue, where necessary, the name to be done under the direction of the Street Commissioner; and that the accompanying ordinance therefor be supplied.

n proper repair immediately; therefore, be it yed, That the Street Commissioner be and he is hereb ted and directed to cause all necessary repairs to b piers Nos. 58 and 59 East river, immediately, as th

Assolved. This George Obert be permitted to fine sidewalk and set curb and gatter stones in front of the property north side of 124th street, between Second and Third avenues, said work to be done within six months, at his own expense and under the direction of the Street Commissioner.

Which was concurred in.

Resolution of Sonal of Councilmen, as follows:—

Common Council, not only justifiable, but a wiss exercise of the restraining power lodged with the Chief Magistrate of the nation by the constitution, to be exercised in such emergencies, and that the Common Council of the city of New Fork most sincerely thank the President for this saintary assertion of his high proregative, believing, as they do, that this set will meet with the hearty approbation and solid support of the American people.

(Resolved Aldermen, resolutions.—

Whereas in the present crisis in the affairs of our country, when the conservative, enlightened and Christian policy of Andrew Johnson, President of the United States, is brought violently in conflict with the vindetive, revolutionary and destructive policy as indicated by the acts of the present Congress, it is entirently fitting and proper that the people of this distribution and opinions entertained by the Present Congress, it is entirently fitting and proper that the people of this distribution and opinions entertained by the Present Congress, the second of the Congress, the second of the Congress, the second of the Congress and entertained by them, sh

where necessary the accompanying ordination therefor be stoner, and that the accompanying ordination therefor be stoner, and that the salary of the Fourth Clerk in the office of the Common Councilment and the same to take effect after the approval of this resolution. Councilman Kentoon moved that said resolution be referred to the Committee on Finance.

Which was carried.

Councilman Kinxon moved that such vote be reconsidered. Which was carried.

Which was carried.

Which was carried and Offices.

Which was carried and Offices.

Whereas the referred to be included in the first street, from Third arenne to East river, cannot be carried into effect, in consequence of the curb and guiter not having been set east of First avenue,

special and Twelfu aroman, under the description of the comparing of the c has failed to qualify.

Which was referred to the Committee on Salaries and Offices.

Whereas the City Inspector has this day been formally notified of the passage of an act by which his department and the bureaut thereof are declared abolished; and

Whereas it will require a short time for him to closs up the business of his department with the city government therefore.

Resolved, That the City Inspector be and he is hereby authorized and requested to retain for the present and until he has entirely closed up the business of his department, the possession and use of the offices now occupied by him, as a second of the committee of the Board of Councilment, the Board to impure how far the new law affects the duties hitherto devolved upon the City Inspector's Department, acting with a fike committee of the Board of Councilmen, be directed to accertain what elerated to the reassistance may be necessary to enable the City Inspector to close up said business, and that with their authority he be empowered to employ and assistance, the expense thereof to be paid out of city contingencies.

Councilman Kattoon moved that said paper be referred to the Committee on streets.

Which was lock.

Councilman Kanen moved that said paper be referred to a special committee of three members of this Board.

Which was carried.

Councilman Councilman for true time in front of the Councilman Kanender of true time in front of the Councilman Kanender of the control paper of the Councilman Kanender of the said resolution be referred to the Committee on Arts and Sciences.

Councilman Fullman moved to amend by referring said resolution to the Alderman and Councilman representing the district.

Which was lost.

Councilman Kanen moved to amend the motion of Councilman carried the movement of the councilman carried the carried that the carried

tello, Hartman, Brinkman, Roster, Watts, Reech, Green, White, Mackay, Reliegg, Trug. Thomas, Halloran, Roberts, Pullman, Hettrick and Imlay—20.

Negative—Councilium Long—1.

Report of Committee on Sewers, in favor of adopting resolution as follows:

Resolved. That a sewer, with necessary receiving basins and culverts, be built under the direction of the Cretton Aquetuel Board. In Eightheth streat, between, Thirt and Fenirh avenues, and that the accompanying ordinance therefor be a brief was adopted by the following vote—

Afternative—Councilmen Stacom, Plyun, Robinson, Costello, Hartman, Brinkman, Koster, Waits, Keech, Green, White, Mackay, Kellong, Trug. Thomas, Halloran, Roberts, Pullman, Hettrick and Imay—20.

Negative—Councilman Leng—1.

Resolved. That a sweep be constructed in Second avenue, leavens Second-rourch and Seventy-onth streets, under the direction of the Croton Aquedus Hoard, and the second-panying ordinance be adopted.—

White, Mackay, Kellong, Trug. Thomas, Halloran, Roberts, Pullman, Hettrick and Resem, Plyun, Robinson, Costelle, Hartman, Repter, Valla, Keech, Orean, White, Mackay, Kellong, Trug. Thomas, Halloran, Roberts, Pollman, Hettrick and Imlay—2.

No. of the Commitmen Long. Souter, Watts, Keech, Green, White, Macksy, Kellogy, Halloran, Roberts, Pullman, Hettrick and Irolay-13.

Councilman Ext.com moved that the report of the Committee on Finance of the Roard of Councilmen be adopted, and on that motion moved the previous question.

Councilman True moved that the Roard do now adjourn. White was lost by the following tode:

Afternative—Councilmen Long. Stacom, Flyna, Robinson, Costello, Hartman, Brinkman, Kester, Tyng and Thomas—10.

Negative—Councilmen Watts, Keech, Green, White, Marsay, Kellogg, Hallowan, Roberts, Pullman, Heitrick and Inday—11.

Negative—Councilmen Watts, Keech, Green, White, Marsay, Eriogg, Hallowan, Roberts, Pullman, Heitrick and Inday—13.

Which was dended in the afternative.

The PERSIDENT then stated the question to be on the adoption of the report of the Committee on Finance of the Roard of Councilmen, non-concurring with the resolution of the Board of Adderman.

Which was carried by the following vote:

Afternative—Councilmen Kostor, Watts, Keech, Green, White Mackay, Kellogg, Thomas, Halloran, Roberts, Pullman, Hetrick and Inday—13.

Negative—Councilmen Long. Stacom, Flyna, Robinson, Costello, Harman, Herrick and Inday—13.

Negative—Councilmen Long. Stacom, Flyna, Robinson, Costello, Harman, Herrick and Inday—14.

Negative—Councilmen Long. Stacom, Flyna, Robinson, Costello, Harman, Herrick and Inday—15.

Negative—Councilmen Long. Stacom, Flyna, Robinson, Costello, Harman, Herrick and Inday—16.

He then moved, in accordance with such request, that the report of the Board of Aldermen requesting that the report of their committee on said subject be returned to them.

Which was carried.

He then moved, in accordance with such request, that the report of the Board of Aldermen, together with the report of the Board of Aldermen requesting that the report of the Board of Aldermen, together with the report of the Board of Aldermen requesting that the report of the Board of Aldermen requesting that the report of the Board of Aldermen requ

tion.

Conneciman Kerry moved to amend said resolution by inconneciman the words "per day" the words "providing eight
hours constitute a day's labor."

Which was lost.

The resolution was then concurred in by the following
out.

These Robinson.